

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BLUEAIR, INC.,	)	
A Delaware Corporation,	)	
	)	Case No. 08 C 427
Plaintiff,	)	
	)	Hon. Milton I. Shadur
v.	)	Presiding Judge
	)	
APPLE, INC.	)	
A California Corporation,	)	
	)	
Defendant.	)	

**NOTICE OF MOTION**

To: Margaret C. McHugh  
Timothy R. Cahn  
Townsend & Townsend & Crew  
2 Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834

**PLEASE TAKE NOTICE** that on February 8, 2008 at 9:15 a.m., or as soon thereafter as counsel may be heard, we shall appear before Judge Milton I. Shadur or any judge sitting in his stead in the United States District Court for the Northern District of Illinois, Eastern Division, in Courtroom 2303 at the Everett McKinley Dirksen Courthouse, 219 S. Dearborn St., Chicago, Illinois 60604, and then and there present the **MOTION OF BLUEAIR INC. TO EXTEND TIME FOR DEFENDANT TO ANSWER OR OTHERWISE PLEAD**, a copy of which is herewith served upon you.

BLUEAIR, INC.,

By                     /s/ Jil L. Martin                      
One of Its Attorneys

John R. Crossan  
Jil L. Martin  
CHAPMAN AND CUTLER LLP  
111 West Monroe Street  
Chicago, Illinois 60603  
(312) 845-3000

**CERTIFICATE OF SERVICE**

I, Jil L. Martin, an attorney, certify that I caused a true and correct copy of the foregoing **NOTICE OF MOTION OF BLUEAIR INC. TO EXTEND TIME FOR DEFENDANT TO ANSWER OR OTHERWISE PLEAD**, to be served upon outside counsel for Defendant, Apple, Inc. as follows:

Margaret C. McHugh  
Timothy R. Cahn  
Townsend & Townsend & Crew  
2 Embarcadero Center  
8th Floor  
San Francisco, California 94111-3834

via electronic mail and by depositing same in the United States mail, postage prepaid, at 111 West Monroe Street, Chicago, Illinois 60603 on February 6, 2008 before the hour of 5:00 p.m.

By \_\_\_\_\_ /s/ Jil L. Martin \_\_\_\_\_